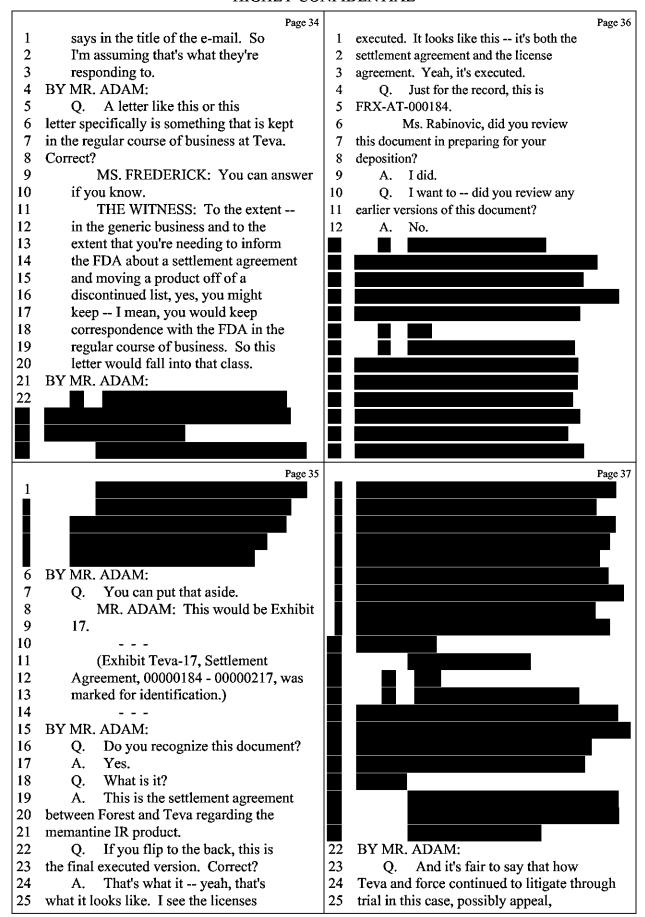
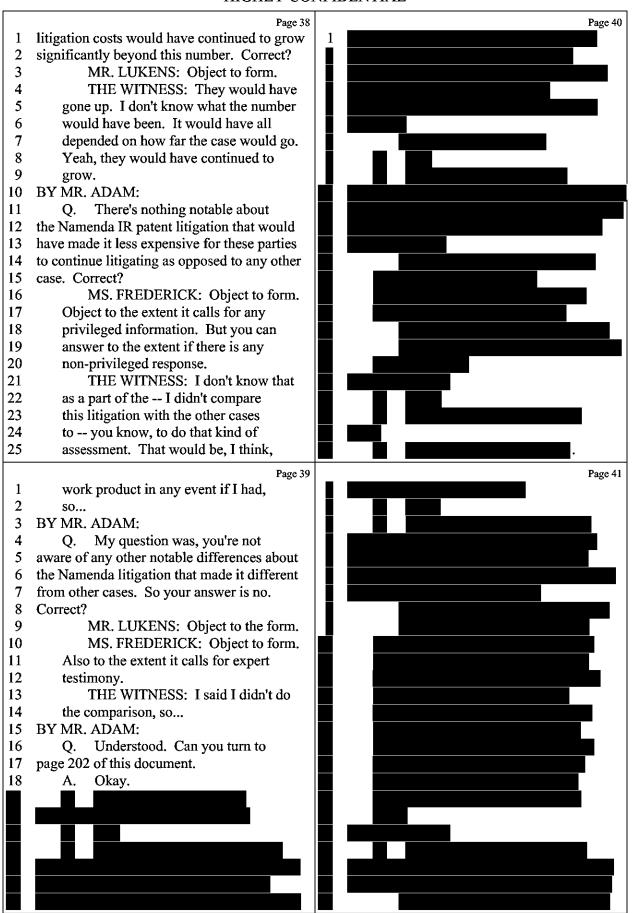
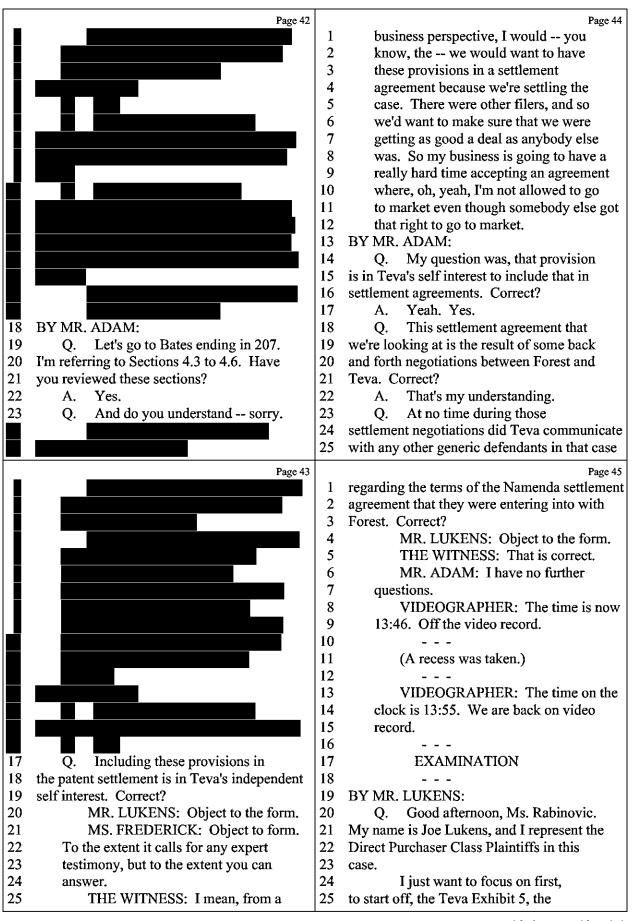
Exhibit 331 (Filed Under Seal)

	Page 1					
1	IN THE UNITED STATES DISTRICT COURT					
	FOR THE SOUTHERN DISTRICT OF NEW YORK					
2						
3						
	IN RE: NAMENDA DIRECT : CIVIL ACTION NO.					
4	PURCHASER ANTITRUST : 1:15-cv-07488-CM (JF)					
	LITIGATION :					
5						
6						
7						
8	** HIGHLY CONFIDENTIAL **					
9						
10	July 18, 2017					
11						
12	Videotaped 30(b)(6) deposition of					
13	Teva Pharmaceuticals, through LAUREN					
14	RABINOVIC, taken at the offices of Post &					
15	Schell, 1600 JFK Boulevard, Four Penn Center,					
16	Philadelphia, Pennsylvania 19103, beginning					
17	at 1:05 p.m., before LINDA ROSSI-RIOS, a					
18	Federally Approved RPR, CCR and Notary Public.					
19						
20						
21						
22						
23						
24						
25						







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_	Page 46		Page 48
1	Paragraph IV letter. If you have that.	1	Q. And when Teva sends out a
2	A. Yes, I have.	2	Paragraph IV letter, does Teva anticipate that
3	Q. So this is the Paragraph IV	3	it may be get sued by the brand company with
4	letter that Teva sent to Forest in connection	4	respect to the patents that are issued within
5	with the '703 patent and the memantine ANDA		the Paragraph IV letter?
6	Is that right?	6	MR. ADAM: Objection. Form.
7	A. Yes.	7	THE WITNESS: It may, yeah. It
8	Q. And in the as part of the	8	doesn't I mean, suit is a
9	letter Teva laid out its factual and legal	9	possibility, yes.
10	bases for its position regarding the	10	BY MR. LUKENS:
11	non-infringement position and invalidity	11	Q. And after Teva served this
12	position that it took with respect to the '703	12	Paragraph IV letter on Forest, it did get sued
13	patent. Is that right?	13	by Forest. Is that right?
14	A. Yes.	14	A. That's my understanding, yes.
15	Q. And Teva provided this	15	Q. And did Teva learn at some point
16	information to Forest after an investigation	16	that other ANDA filers had been sued by Forest
17	by Teva's counsel. Is that right?	17	as well?
18	MS. FREDERICK: Object to the	18	A. Yes.
19	extent it calls for any privileged or	19	Q. And did Teva believe, if you
20	work product information. But you can	20	know, that at the time it submitted this
21	answer to the extent it does not.	21	Paragraph IV letter and its ANDA, that it
22	MR. ADAM: Object to form as	22	could be the first filer for the memantine
23	well.	23	product?
24	THE WITNESS: Counsel was	24	MR. ADAM: Objection. Form.
25	involved in preparing the legal	25	MS. FREDERICK: Object to the
	Page 47		Page 49
1	arguments in support of the letter,	1	extent it calls for any privileged
2	yes.	2	information. But to the extent that
3	BY MR. LUKENS:	3	you know any non-privileged
4	Q. And so what Teva was doing was	4	information, you can do so.
5	letting Forest know at least some of the bases	5	THE WITNESS: I thought this was
6	under which Teva believed that its product did	6	a brand product that had new chemical
7	not infringe the patent. Is that right?		a brand product that had new chemical
	9 1	7	entity exclusivity, which means there's
8	MS. FREDERICK: Object to the	8	entity exclusivity, which means there's a date on which that's the earliest
8 9	MS. FREDERICK: Object to the extent it calls for any privileged	8	entity exclusivity, which means there's a date on which that's the earliest date that any company can file a
8 9 10	MS. FREDERICK: Object to the extent it calls for any privileged information to Teva's belief informed	8 9 10	entity exclusivity, which means there's a date on which that's the earliest date that any company can file a Paragraph IV Cert an ANDA with a
8 9 10 11	MS. FREDERICK: Object to the extent it calls for any privileged information to Teva's belief informed by legal counsel. But to extent you	8 9 10 11	entity exclusivity, which means there's a date on which that's the earliest date that any company can file a Paragraph IV Cert an ANDA with a Paragraph IV Certification. I believe
8 9 10 11 12	MS. FREDERICK: Object to the extent it calls for any privileged information to Teva's belief informed by legal counsel. But to extent you can answer based on non-privileged	8 9 10 11 12	entity exclusivity, which means there's a date on which that's the earliest date that any company can file a Paragraph IV Cert an ANDA with a Paragraph IV Certification. I believe Namenda IR was one of those products.
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		Page 86		Page 88
1	this point in time, that these are the		1	And I ask you if you recognize this as an
2	best terms. They could change. You		2	e-mail that was sent to David Stark from Eric
3	could get even better terms. But,		3	Agovino on July 15, 2009?
4	yeah, you're assuming that you're		4	A. Yes.
5	getting the best date.		5	Q. And do you see that Mr. Agovino
6	BY MR. LUKENS:		6	is the intellectual property litigation
7	Q. And if they change for some		7	counsel for Forest Laboratories?
8	other generic, the expectation with MFN is		8	A. That's what it says.
9	that they're going to change for Teva?		9	Q. The subject is amended
10	A. Correct.		10	litigation and it appears to have an
11	Q. If they're better?		11	attachment, Teva settlement proposal. Do you
12	A. Yes, correct.		12	see that?
			13	A. Yes.
			14	Q. If you could take a just a
			15	I don't you're not I'm not going to ask
			16	you too much details about the specifics. If
			17	you could take a look at the attachment.
			18	A. Okay.
			19	Q. Do you have any understanding of
			20	whether this is the term sheet that you may
			21	have been talking about earlier or is this
			22	further along, do you think?
			23	A. I thought the term sheet said
			24	term sheet on it. I don't remember, but I
			25	thought it said term sheet on it. So I'm not
		Page 87		Page 89
			1	sure.
			2	Q. So a term sheet is going to be
			3	sent in advance of a draft settlement
			4	agreement. Is that right?
			5	A. It can be, yeah. And I think in
			6	this situation, that's my understanding, there
			7	was a term sheet sent ahead of time.
			8	Q. And so this e-mail from
			9	Mr. Agovino in the second sentence says it's a
			10	draft settlement proposal for the Namenda
			11	case. And he says it's subject to comments by
			12	Forest and Merz management. And asks
			13	Mr. Stark to review. Do you see that?
			14	A. Yes.
15	MR. LUKENS: I want to mark the		15	Q. So attached is the draft
16	next exhibit, which is Number 20.		16	settlement agreement. And I'm not going to
17			17	ask you about much of this, but if you take a
18	(Exhibit Teva-20, 7/15/09 E-mail		18	look at paragraph 3, clause 3, it's on page 2
19	with attachment, 03633179 - 03633187,		19	of the draft, and it says, "Launch Date." Do
20	was marked for identification.)		20	you see that?
			21	A. Yes.
21				O A 17 d 1111 Cd 4
22	BY MR, LUKENS:		22	Q. And in the middle of that
22 23	Q. I've handed you what we've had		23	paragraph, I guess it's the second sentence
22				•